

Message Text

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FM AMEMBASSY MANILA
TO SECSTATE WASHDC IMMEDIATE 1784

C O N F I D E N T I A L SECTION 1 OF 3 MANILA 16422

E.O. 11652: GDS
TAGS: SHUM, PFOR, RP, US
SUBJECT: CONGRESSIONAL REQUEST FOR DETAILED HUMAN RIGHTS STATEMENT

REF: STATE 256217

BEGIN SUMMARY: THIS MESSAGE PROVIDES ADDITIONAL INPUT FOR DEPARTMENT'S STATEMENT ON HUMAN RIGHTS SITUATION IN PHILIPPINES AND REVIEWS U.S. APPROACHES TO GOP ON HUMAN RIGHTS ISSUE OVER LAST TWO YEARS. IT COMMENTS ON GOP EFFORTS TO COMPLY WITH RECOMMENDATIONS OF AMNESTY INTERNATIONAL (AI) REPORT; DISCUSSES ASSOCIATION OF MAJOR RELIGIOUS SUPERIORS OF THE PHILIPPINES (AMRSP) REPORT; AND DETAILS EMBASSY HUMAN RIGHTS CONTACTS. MESSAGE ALSO ADDRESSES SPECIFIC QUERIES MADE REFTEL AND PROVIDES "EXTRAORDINARY CIRCUMSTANCES STATEMENT" ALTHOUGH AS PRACTICAL MATTER, WE DO NOT BELIEVE SITUATION REQUIRING SUCH STATEMENT OBTAINS IN PHILIPPINES. END SUMMARY.

1. REFTEL NOTES CHAIRMAN MORGAN HAS REQUESTED HUMAN RIGHTS STATEMENT ON PHILIPPINES BASED ON SECTION 502B(C) OF THE FOREIGN ASSISTANCE ACT OF 1961 AS AMENDED BY INTERNATIONAL SECURITY AND ARMS EXPORT CONTROL ACT OF 1976. EMBASSY UNDERSTANDS HUMAN RIGHTS REPORT RECENTLY CONFIDENTIAL

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SENT FOR REVIEW (STATE 240636) WILL FORM BASIS FOR PART OF RESPONSE. AS INDICATED IN MANILA 13573, WE HOPE THIS REPORT WILL BE MODIFIED TO INCLUDE SUGGESTIONS EMBASSY HAS MADE AS WELL AS INDICATE THAT GOP HUMAN

RIGHTS RECORD REQUIRES CONSIDERABLE IMPROVEMENT AND THAT MARTIAL LAW INHERENTLY NURTURES HUMAN RIGHTS VIOLATIONS. IT ALSO WOULD BE HELPFUL IF REPORT DISTINGUISHED BETWEEN POLITICAL RIGHTS AND HUMAN RIGHTS. AS INDICATED IN EMBASSY REPORT ON HUMAN RIGHTS SITUATION (76 MANILA A-76), POLITICAL RIGHTS REMAIN DELIMITED BUT BASIC HUMAN RIGHTS ARE ENJOYED BY MOST OF POPULATION. WE ALSO BELIEVE IT WOULD BE USEFUL TO PLACE HUMAN RIGHTS SITUATION HERE IN SOME SORT OF CONTINUUM. WHILE COMPARISONS INSIDIOUS, GOP RECORD IN HUMAN RIGHTS AREAS SEEMS FAIR WHEN CONTRASTED WITH THAT OF OTHER AUTHORITARIAN STATES IN DEVELOPING WORLD. REPORT MIGHT ALSO EMPHASIZE GOP RECEPTIVITY TO OUTSIDE MISSIONS INVESTIGATING HUMAN RIGHTS SITUATION HERE (AI, ICJ, ICRC). DESPITE LANGUAGE IN AI REPORT WE DO NOT FIND IN PHILIPPINES A CONSISTENT PATTERN OF GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS. NEVERTHELESS SHOULD THE CURRENT REGIME FEEL ITSELF THREATENED WE HAVE NO DOUBT REPRESSION WOULD INCREASE AND THAT FOR MARCOS GOVERNMENT HUMAN RIGHTS WILL ALWAYS REMAIN SECONDARY TO STAYING IN POWER.

2. STEPS U.S. HAS TAKEN TO PROMOTE RESPECT FOR AND OBSERVANCE OF HUMAN RIGHTS: FROM OUTSET OF MARTIAL LAW, EMBASSY HAS IMPRESSED ON GOP NEGATIVE IMPACT HUMAN RIGHTS VIOLATIONS HAVE ON U.S. CONGRESS AND PUBLIC OPINION, ALTHOUGH GOP ALREADY SENSITIVE TO THESE CONSIDERATIONS. WE HAVE ALSO INDICATED OUR ETHICAL CONCERN ABOUT SUCH VIOLATIONS. RECENTLY, EMBASSY BROUGHT HUMAN RIGHTS PROVISIONS OF NEW INTERNATIONAL SECURITY ASSISTANCE AND ARMS EXPORT CONTROL ACT TO ATTENTION OF DEPARTMENT OF FOREIGN AFFAIRS (MANILA 15212). EARLIER IN YEAR, EMBASSY BROUGHT HUMAN RIGHTS PROVISIONS OF THE FOREIGN ASSISTANCE ACT TO PERSONAL ATTENTION OF SOLICITOR GENERAL MENDOZA (MANILA 687). IN 1974, WE HAD INFORMED EXECUTIVE SECRETARY MELCHOR OF HUMAN RIGHTS LANGUAGE IN AID LEGISLATION (74 MANILA CONFIDENTIAL

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7860). EMBASSY ALSO PROVIDED THESE CABINET OFFICIALS WITH EXACT LANGUAGE OF LEGISLATION. IN LATE 1974, THE EMBASSY DISCUSSED AT LENGTH THE SITUATION OF POLITICAL PRISONERS AND DETENTION FACILITIES WITH PRINCIPAL REPRESENTATIVES OF THE GOP RESPONSIBLE IN THESE AREAS INCLUDING THE COMMAND FOR THE ADMINISTRATION OF DETAINEES (CAD), THE DEPUTY CHIEF OF PC, AND SUPERINTENDENT OF THE NATIONAL PRISONS (74 MANILA 9597). EMBASSY EXPRESSED CONCERN OVER POLITICAL PRISONER QUESTION WITH VARIOUS HIGH RANKING MEMBERS OF THE PHILIPPINE GOVERNMENT IN NOVEMBER 1974 (74 MANILA 8660). IN FEBRUARY 1975, AMBASSADOR DISCUSSED THE GROWING CONGRESSIONAL INTEREST IN POLITICAL PRISONERS WITH

EXECUTIVE SECRETARY MELCHOR. EMBASSY WAS CONFIDENT SUBSTANCE OF MESSAGE CONVEYED TO PRESIDENT MARCOS (75 MANILA 2270). IN FEBRUARY 1976, THE DCM AND POLCOUNS ENGAGED IN AN EXTENSIVE DISCUSSION ON HUMAN RIGHTS WITH SOLICITOR GENERAL (SEE STULL/MEADE/MENDOZA MEMCON OF FEB 13, 1976). MOST RECENTLY POLCOUNS DISCUSSED HUMAN RIGHTS WITH UNDERSECRETARY FOR NATIONAL DEFENSE BARBERO (SEE BARBERO/WENZEL MEMCON OF OCTOBER 13, 1976).

3. POLITICAL DETAINEES: THE PRINCIPAL HUMAN RIGHTS PROBLEM HERE HAS BEEN POLITICAL DETAINEES AND THEIR POSSIBLE TORTURE. EMBASSY HAS IMPRESSED ON GOP OUR DISQUIET AT INDIVIDUALS BEING IMPRISONED WITHOUT TRIAL FOR LENGTHY PERIODS. ON SPECIFIC CASES, EMBASSY HAS BEEN ASSIDUOUS IN INFORMING GOP OF USG CONCERN AND HAS TRANSMITTED VIEWS OF MEMBERS OF CONGRESS. MOST PROMINENT POLITICAL DETAINEES IN PHILIPPINES ARE FORMER SENATOR BENIGNO AQUINO, EUGENIO LOPEZ, JR., SERGIO OSMENA, III AND FATHER EDICIO DE LA TORRE. FOLLOWING IS REVIEW OF EMBASSY ACTIONS IN THEIR CASES:

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C O N F I D E N T I A L SECTION 2 OF 3 MANILA 16422

(A) AQUINO - ON MAY 17, 1976, THE AMBASSADOR ARRANGED A MEETING WITH PRESIDENT MARCOS AND FORMER CONGRESSMAN GALLAGHER WHO PRESENTED A PROPOSAL TO THE PRESIDENT SUGGESTING SENATOR AQUINO GO INTO EXILE IN THE U.S. (MANILA 6919.) EARLIER THE AMBASSADOR HAD DISCUSSED THE AQUINO CASE WITH THE PRESIDENT ON SEVERAL OCCASIONS (75 MANILA 3744; 75 MANILA 4593, AND 75 MANILA 5450). IN RESPONSE TO CONGRESSIONAL INTEREST AND DEPARTMENT'S SUGGESTIONS, AMBASSADOR ALSO DISCUSSED AQUINO CASE WITH SECRETARY OF NATIONAL DEFENSE ENRILE AND FORMER

EXECUTIVE SECRETARY MELCHOR (75 MANILA 6364). IN 1975, THE AMBASSADOR MET WITH AQUINO'S SISTER AND TRANSMITTED TO DEPARTMENT LETTER FROM HER TO PRESIDENT FORD REQUESTING HIS INTERVENTION IN HER BROTHER'S CASE. EMBASSY HAS BEEN CAREFUL TO AVOID BECOMING INTERMEDIARY IN EFFORTS TO RESOLVE THE PRESIDENT'S PROBLEM WITH HIS PRINCIPAL POLITICAL OPPONENT BUT HAS FACILITATED EFFORTS WHICH COULD LEAD TO DISCUSSIONS BETWEEN MARCOS AND AQUINO AND HOPEFULLY MUTUALLY FACE-SAVING RESOLUTION OF THE CASE. IN ADDITION TO AMBASSADOR'S DISCUSSIONS WITH PRESIDENT MARCOS AND MEMBERS OF HIS CABINET ON AQUINO CASE, EMBOFFS REMAIN IN CLOSE AND REGULAR CONTACT WITH AQUINO'S ATTORNEYS (FORMER SENATORS TANADA, SALONGA AND DIOKNO) AS WELL AS WITH MEMBERS OF AQUINO'S FAMILY, CONFIDENTIAL

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INCLUDING WIFE AND SISTERS. IN THESE CONTACTS EMBOFFS STRESS USG DESIRE TO DO WHATEVER IT PROPERLY CAN TO ASSIST IN RESOLVING CASE.

(B) LOPEZ AND OSMENA - INTEREST IN LOPEZ/OSMENA CASE PEAKED IN LATE 1974 AND 1975 BUT DIMINISHED IN 1976. AS A RESULT OF EXTENSIVE LOBBYING BY LOPEZ' BROTHER-IN-LAW IN U.S. (STEVEN PSINAKAS), THERE HAS BEEN CONSIDERABLE CONGRESSIONAL INTEREST IN CASE AT LEAST AT STAFF LEVEL. EMBASSY OFFICERS HAVE MET WITH MEMBERS OF LOPEZ FAMILY AND THEIR LAWYERS ON REGULAR BASIS OVER LAST TWO YEARS. IN LATE 1974, MRS. SERGIO OSMENA, III THANKED EMBASSY FOR INTEREST IN CASES OF HER HUSBAND AND EUGENIO LOPEZ, JR. EMBASSY EXPRESSED CONGRESSIONAL CONCERN ON LOPEZ/OSMENA CASE DIRECTLY TO PRESIDENTIAL SECURITY COMMAND GENERAL VER (75 MANILA 14575). WE HAD ALSO EXPRESSED CONCERN TO OTHER MEMBERS OF THE GOVERNMENT (74 MANILA 13936). EMBASSY HAS REMAINED IN CONTACT WITH LOPEZ/OSMENA LAWYERS AND DISCUSSED HER HUSBAND'S CASE WITH MRS. LOPEZ ON REGULAR BASIS. (SEE MANILA 5108, 3065, 884 AND LOPEZ/SALMON MEMCON OF SEPTEMBER 26.)

(C) DE LA TORRE - FATHER EDICIO DE LA TORRE WAS ARRESTED IN DECEMBER 1974. HE IS ALLEGED TO BE A MEMBER OF THE COMMUNIST PARTY/MARXIS LENINIST AND IN CHARGE OF THE PARTY'S LIAISON ACTIVITIES WITH FRONT ORGANIZATIONS. THERE HAS BEEN CONSIDERABLE CONGRESSIONAL INTEREST IN DE LA TORRE. EMBASSY HAS SENT NUMEROUS TELEGRAMS ON HIS CONDITION AND DEVELOPMENTS IN HIS CASE SO THAT DEPARTMENT COULD BE RESPONSIVE TO THIS INTEREST. ADDITIONALLY EMBOFFS HAVE REGULARLY DISCUSSED CASE WITH MEMBERS OF THE AMRSP DETAINEES COMMITTEE. DE LA TORRE ENGAGED IN SEVERAL HUNGER STRIKES BUT WAS NOT MALTREATED ALTHOUGH SOME OF THE PEOPLE ARRESTED WITH HIM WERE TORTURED. 'MANILA 6147, 4976, 3656, 3593, 3118, 2333, 2115 AND 1988.)

4. SPECIAL CASES: IN RESPONSE TO CONGRESSIONAL INTEREST, EMBASSY HAS DISCUSSED WITH GOP CASES OF SEVERAL FILIPINOS WHO WERE PREVENTED FROM LEAVING COUNTRY. DEPARTMENT WILL RECALL EMBASSY EFFORTS ON BEHALF OF CONFIDENTIAL

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PROFESSOR JOEL ROCAMORA OF UP (MANILA 5993; MANILA 5437; AND PREVIOUS), DETAINED AT OUTSET OF MARTIAL LAW AND SUSPECTED BY GOP OF CONTINUING SUBVERSIVE ACTIVITIES, AND LENNY VILLAREAL (MANILA 9896 AND SGATE 176033). IN BOTH CASES EMBASSY MADE REPRESENTATIONS TO GOP WHICH EVENTUALLY RESULTED IN THESE INDIVIDUALS (WHO WERE PHILIPPINE CITIZENS MARRIED TO US NATIONALS) BEING ALLOWED TO LEAVE COUNTRY, ALTHOUGH GOP SEEMED TO FEEL U.S. REPRESENTATIONS ON BEHALF OF FILIPINO NATIONALS BORDERED ON INTERFERENCE IN PHILIPPINE INTERNAL AFFAIRS.

5. HUMAN RIGHTS CONTACTS OUTSIDE GOVERNMENT: IN ADDITION TO APPROACHES TO GOP, EMBASSY MAINTAINS CLOSE LIAISON WITH INDIVIDUALS AND GROUPS CONCERNED WITH HUMAN RIGHTS QUESTIONS HERE. EMBASSY HAS EXCELLENT CONTACTS WITH DETAINEES COMMITTEE OF AMRSP, PRINCIPAL SOURCE FOR AI REPORT AND AUTHOR OF AMRSP REPORTS. DETAINEES COMMITTEE SUPPLIES EMBASSY WITH ITS PUBLICATIONS ON REGULAR BASIS, INCLUDING LISTS OF DETAINEES, AND ALSO ALERTS EMBASSY WHENEVER IT BELIEVES THERE HAVE BEEN PARTICULARLY EGREGIOUS VIOLATION OF HUMAN RIGHTS. EMBASSY SUBSCRIBES TO AMRSP "SIGNS OF THE TIMES" WHICH KEEPS IT CURRENT ON AMRSP AND MAJOR ISSUES. (PUBLICATION ALSO POUCHED DEPARTMENT.) IN ADDITION TO AMRSP CONTACTS, EMBASSY TALKS REGULARLY WITH CHURCHMEN INCLUDING MANILA ARCHBISHOP CARDINAL JAIME SIN (SEE WENZEL/SALMON/SIN MEMCON OF OCTOBER 8, 1976) SINCE CHURCH HAS PROFOUND INTEREST IN HUMAN RIGHTS PROBLEMS AND VIOLATIONS. THESE DISCUSSIONS ENABLE EMBASSY MONITOR CHURCH'S PERCEPTION OF HUMAN RIGHTS SITUATION. IN ADDITION TO AMRSP DETAINEES' COMMITTEE AND OTHER CHURCH SOURCES, EMBASSY MAINTAINS REGULAR CONTACT WITH LEGAL OPPOSITION STRESSING STRONG USG INTEREST IN GENERAL HUMAN RIGHTS QUESTIONS. (SEE SALONGA/WENZEL/SALMON MEMCON OF AUGUST 6, 1976.) EMBASSY HAS ALSO TAKEN INITIATIVE TO ENSURE THAT VISITING CODELS CAN DISCUSS POLITICAL AND HUMAN RIGHTS SITUATION HERE WITH MEMBERS OF OPPOSITION AND NOT MERELY GOVERNMENT REPRESENTATIVES. GOP IS NOT UNAWARE OF EMBASSY DISCUSSIONS WITH OPPOSITION AND OUR CONTACTS CONSTITUTE CONTINUING REMINDER NOT ONLY OF USG COMMITMENT TO HUMAN CONFIDENTIAL

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RIGHTS BUT CONTINUING CONGRESSIONAL INTEREST IN THIS SUBJECT. IN ADDITION TO CONTACTS WITH FAMILY OF PROMINENT POLITICAL DETAINEES, THEIR LAWYERS AND CHURCH FIGURES, THE EMBASSY ALSO MAINTAINS REGULAR CONTACT WITH LEGAL ORGANIZATIONS (INTEGRATED BAR ASSOCIATION OF PHILIPPINES), STUDENTS AND FACULTY AT LOCAL UNIVERSITIES, AS WELL AS GOP LEGAL OFFICIALS. IN SUM, WE BELIEVE WE ARE COVERING ALL AREAS SUGGESTED PARA 1B 75 STATE 182813.

6. ATTENDANCE AT TRIALS: EMBASSY REPRESENTATIVES HAVE ATTENDED TRIALS IN WHICH HUMAN RIGHTS CONSIDERATIONS IMPORTANT. OBVIOUSLY PRIORITY IS PLACED ON TRIALS INVOLVING U.S. CITIZENS. EMBOFF ATTENDED GOP'S UNSUCCESSFUL DEPORTATION PROCEEDING AGAINST MARYKNOLL PRIEST FATHER GERLOCK IN 1974. EMBOFFS ATTENDED REINVESTIGATION HEARINGS IN CASE OF LOPEZ/OSMENA WHICH ALSO INVOLVED AMCIT LEHMAN. EMBASSY REPORTED ALL OF THESE TRIALS ON REGULAR BASIS. EMBASSY DID NOT SEND REPRESENTATIVE TO AQUINO TRIAL CURRENTLY IN PROGRESS SINCE WE FELT IT WOULD SERVE NO USEFUL PURPOSE AND SINCE AQUINO HIMSELF NOT IN ATTENDANCE. FYI SPECIAL CONSULTANT SALZBERG OF FRASER SUBCOMMITTEE WROTE AMBASSADOR SUGGESTING EMBOFF ATTEND TRIAL. MINISTER REPLIED ALONG LINES ABOVE. (SEE STULL/SALZBERG LETTER OF AUGUST 26 SENT EA/PHL.) END FYI. IN ANY EVENT EMBASSY HAS SENT CABLE REPORT OF EACH SESSION AND HAS DISCUSSED CASE WITH AQUINO LAWYERS AND FAMILY. LATEST DISCUSSION WAS OCTOBER 9 WITH MRS. CONCIO, AQUINO'S SISTER WHO ATTENDS ALL HEARINGS.

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7. AMNESTY INTERNATIONAL AND AMRSP REPORTS: EMBASSY'S

DETAILED EVALUATION OF AI REPORT WAS PROVIDED IN MANILA 13757. EMBASSY HAD OBTAINED DRAFT AI REPORT SEVERAL MONTHS EARLIER AND REPORTED AND COMMENTED ON ITS CONCLUSIONS (MANILA 10121). EMBASSY COMMENTS ON AMRSP (ASSOCIATION OF MAJOR RELIGIOUS SUPERIORS IN THE PHILIPPINES) REPORT ON POLITICAL DETAINEES IN THE PHILIPPINES PROVIDED MANILA 5973. WE STILL THINK IT IN THE MAIN ACCURATE BUT MANY OF CASES CITED WERE PRIOR TO 1974 AND CONCERNED MEMBERS OF NPA. SINCE PROVIDING THESE ASSESSMENTS, WE HAVE IMPRESSION GOP HAS MOVED TO SATISFY AT LEAST SOME OF AI RECOMMENDATIONS. INDICATION OF CONTINUING GOP SENSITIVITY TO REPORT WAS FACT THAT QUESTION ON AI FINDINGS ASKED DURING PRESIDENT'S MARATHON TELEVISION APPEARANCE EVENING OCTOBER 15. MARCOS, WHO MAINTAINED REPORT EXAGGERATED, AGREED THERE HAD BEEN INSTANCES OF DETAINEE MALTREATMENT BUT CLAIMED THEY WERE ISOLATED AND THAT THOSE RESPONSIBLE FOR MALTREATMENT WERE BEING PUNISHED SINCE AI REPORT'S PUBLICATION, PRESIDENT HAS ESTABLISHED SPECIAL COMMITTEE UNDER CHAIRMANSHIP OF UNDERSECRETARY FOR NATIONAL DEFENSE BARBERO TO INVESTIGATE DETAINEE MALTREATMENT CHARGES. EMBOFFS RECENTLY (OCTOBER 13) SOUGHT OUT BARBERO TO DETERMINE SCOPE OF CONFIDENTIAL

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NEW COMMITTEE'S RESPONSIBILITIES AND GET BETTER IDEA OF HOW INTENSIVELY BARBERO'S GROUP WOULD PURSUE QUESTION OF DETAINEE MALTREATMENT MAKING IT CLEAR USG HAD CONTINUING INTEREST IN ISSUE. IN ADDITION TO OVERSIGHT COMMITTEE, DEPARTMENT AWARE OF STEPS GOP TOOK IMMEDIATELY BEFORE AND AFTER AI REPORT PUBLISHED. THESE INCLUDED: (A) REORGANIZATION OF THE COMMAND FOR ADMINISTRATION OF DETAINEES; (B) COMPUTERIZED RECORD OF ALL DETENTIONS; AND (C) DIRECTION THAT ALL FAMILIES AND LAWYERS OF DETAINEES BE NOTIFIED WITHIN 24 HOURS OF THEIR DETENTION. PRESIDENT MARCOS ALSO CLAIMS GOP HAS TAKEN EITHER ADMINISTRATIVE OR JUDICIAL ACTION AGAINST MILITARY WHO HAVE BEEN INVOLVED IN DETAINEE MALTREATMENT. EMBASSY HAS NO SURE WAY, HOWEVER, OF ASCERTAINING WHETHER PUNITIVE ACTION ACTUALLY TAKEN OR WHETHER INDIVIDUALS IN QUESTION MERELY TRANSFERRED TO ANOTHER LOCATION. NOR CAN WE PREDICT HOW EFFECTIVE OVERSIGHT COMMITTEE WILL BE. BUT PRESCINDING FROM ETHICAL ASPECTS, MARCOS AWARE DETAINEE MALTREATMENT, TORTURE, ETC. CAUSE HIM SIGNIFICANT PRACTICAL PROBLEMS AS FAR AS U.S. CONGRESS, INTERNATIONAL PUBLIC OPINION, ETC. CONCERNED AND AS PRACTICAL MATTER PROBABLY WISHES COMPLY WITH AI REPORT TO EXTENT THIS POSSIBLE UNDER MARTIAL LAW.

8. ASSISTANCE PROGRAMS SUPPORTIVE OF HUMAN RIGHTS:
WE MADE CASE FOR U.S. DEVELOPMENT ASSISTANCE'S HUMAN RIGHTS

CONTRIBUTION IN MANILA 3062 WHICH DISCUSSED HUMAN RIGHTS ASPECTS OF ELECTRIFICATION AND IRRIGATION PROGRAMS. SINCE AID PROJECTS HERE CONSONANT WITH CONGRESSIONAL MANDATE IN THAT THEY ASSIST POOR, RURAL AREAS, ETC., IT CAN BE ARGUED ALL OUR DEVELOPMENT ASSISTANCE ESSENTIALLY IS SUPPORTIVE OF HUMAN RIGHTS.

9. CU PROGRAMS: IN SELECTING INTERNATIONAL VISITORS, MISSION SEEKS REPRESENTATION FROM WIDEST POSSIBLE SEGMENT OF PHILIPPINE SOCIETY. OF 17 FY 76 INTERNATIONAL VISITORS GRANTEES, 11 HAD SIGNIFICANT POTENTIAL FOR POSITIVE IMPACT ON HUMAN RIGHTS SITUATION. THESE INCLUDED SUPREME COURT ASSOCIATE JUSTICE, UNDER-SECRETARY OF JUSTICE AND CHIEF STATE PROSECUTOR, AS CONFIDENTIAL

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WELL AS PRESIDENT OF PHILIPPINE INTEGRATED BAR ASSOCIATION, SECRETARY OF PHILIPPINE NATIONAL COUNCIL OF CHURCHES, SOCIAL SERVICES DIRECTOR OF PHILIPPINE BUSINESS FOR SOCIAL PROGRESS, PRESIDENT OF WOMEN LAWYERS' CIRCLE AND MUSLIM SPECIAL ASSISTANT TO SECRETARY OF JUSTICE. FORMER GRANTEES HAVE INCLUDED MUSLIM TECHNOCRATS WORKING ON PROBLEMS OF MUSLIM MINORITY IN MINDANAO, AND VICE PRESIDENT OF INTEGRATED BAR WHO IS PROMINENT OPPOSITION FIGURE. PROSPECTIVE NOMINEE THIS YEAR IS ASSISTANT SECRETARY OF CATHOLIC BISHOPS CONFERENCE OF PHILIPPINES CHARGED WITH MONITORING HUMAN RIGHTS SITUATION FOR CATHOLIC BISHOPS OF THE PHILIPPINES.

10. COOPERATION AT UNGA: GOP HAS ESPOUSED STRONG HUMAN RIGHTS STANDS IN UNGA. U.S. AND GOP USUALLY HAVE SEEN EYE TO EYE ON MOST HUMAN RIGHTS ISSUES ALTHOUGH APARTHEID QUESTION ESPECIALLY SENSITIVE ONE FOR GOP AND MIGHT PRESENT PROBLEMS WITH U.S. FOR EXAMPLE, WE ARE UNCERTAIN WHETHER GOP WILL DECIDE SIGN INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID WHICH U.S. DOES NOT INTEND TO SIGN (SEE STATE 198389). AS PRACTICAL MATTER, HOWEVER, COOPERATION IN UN ON HUMAN RIGHTS RESOLUTION DOES NOT STRIKE US AS ESPECIALLY STRONG ARGUMENT.

11. EXTRAORDINARY CIRCUMSTANCES NECESSITATING CONTINUATION OF SECURITY ASSISTANCE: AS INDICATED ABOVE, EMBASSY DOES NOT BELIEVE IT HAS BEEN DEMONSTRATED AT THIS TIME THAT GOP "ENGAGES IN A CONSISTENT PATTERN OF GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS" GIVEN PREVAILING INTERNATIONAL STANDARDS. MARTIAL LAW, HOWEVER, PROVIDES MEDIUM CONDUCTIVE TO ESTABLISHMENT SUCH A PATTERN AND REGIME WOULD NOT HESITATE IN INFRINGING ON HUMAN RIGHTS CONSISTENTLY IF ITS HOLD ON POWER THREATENED. EVEN IF GOP FELL UNDER SECTION (A) (2), WE THINK CASE COULD BE MADE FOR CONTINUED SECURITY ASSISTANCE IN ORDER TO ASSURE CONTINUED ACCESS TO CLARK AND

SUBIC. U.S. SECURITY ASSISTANCE IS VIEWED BY GOP AS
IMPLICIT QUID PRO QUO FOR OUR USE OF THESE FACILITIES.
CONTINUED ACCESS TO FACILITIES AT CLARK AND SUBIC IS
RELATED TO MAINTENANCE OF U.S. GLOBAL SECURITY AND
IMPLEMENTING OUR FORWARD STRATEGY IN PACIFIC. SUSPENSION OF
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ASSISTANCE COULD NOTIVATE GOP TO ABORAGE BASES AGREEMENT
AND INVITE US TO WITHDRAW. ASIDE FROM UNFORTUNATE BILATERAL
IMPLICATONS OF SUCH A DEVELOPMENT, U.S. EJECTION FROM
PHILIPPINE BASES COULD AFFECT REGIONAL STABILITY AND ERODE
CONFIDENCE IN U.S. SECURITY COMMITMENTS, PARTICULARLY IN
JAPAN.

12 SUGGESTIONS FOR FURTHER STEPS: AS EARNEST OF OUR
SERIOUSNESS ON HUMAN RIGHTS ISSUES DEPARTMENT MAY WISH
TO CONSIDER MORE REPRESENTATIONS IN WASHINGTON ESPECIALLY
IN VIEW CONGRESS' RECENT DESIGNATION OF HUMAN RIGHTS
COORDINATOR. THESE REPRESENTATIONS WOULD REINFORCE WHAT IS
BEING DONE BY EMBASSIES IN HOST COUNTRY. AS DEPARTMENT
AWARE, AMBASSADOR ROMUALDEZ RETURNED TO MANILA IN
FEBRUARY 1975 IN EFFORT TO IMPRESS ON PRESIDENT SERIOUSNESS
WITH WHICH DETAINEE SITUATION REGARDED IN WASHINGTON.
PRESUMABLY ROMUALDEZ CONCERN RESULT OF SOUNDINGS IN
CONGRESS, ARTICLES IN PRESS, ETC. IT WOULD BE HELPFUL IF
DEPARTMENT CALLED IN ROMUALDEZ FROM TIME TO TIME AND BRACED
HIM ON HUMAN RIGHTS SITUATION. DEPARTMENT MIGHT ALSO
CONSIDER FACILITATING APPOINTMENTS BETWEEN VISITING
OFFICIALS FROM COUNTRIES WITH HUMAN RIGHTS PROBLEMS AND
THOSE IN CONGRESS MOST CONCERNED WITH THIS ISSUE.
DEPARTMENT WILL RECALL THAT SOLICITOR GENRAL MENDOZA HAD
USEFUL SESSION WITH CONGRESSMAN FRASER EARLIER THIS YEAR.
WHETHER CABINET OFFICIALS OF OTHER GOVERNMENTS HAVE
AS REALISTIC AND SOPHISTICATED APPRECIATION OF U.S. CONCERN
WITH HUMAN RIGHTS AS MENDOZA, HOWEVER, IS QUESTIONABLE.
LINE BETWEEN LEGITIMATE U.S. CONCERN FOR HUMAN RIGHTS
AND WHAT OTHERS PERCEIVE AS UNDUE MEDDLING IN THIER INTERNAL
AFFAIRS REMAINS A FINE ONE.
SULLIVAN

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